

**REMARKS**

This Amendment is filed in response to the Final Office Action mailed on November 2, 2005, and with the Request for Continuing Examination filed on the date here-with. All objections and rejections are respectfully traversed.

Claims 1, 3-8, 10-11, 13-15, and 17-20 are in this case.

Claims 18 to 20 are added to better claim the invention.

**Claim Rejections – 35 U.S.C. § 102**

In paragraph 1 of the Office Action, claims 1, 3-7, 10-11, 13-15 and 17 were rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by Seamon, U.S. Application No. 2002/0121322 dated September 5, 2002 (hereinafter Seamon).

By way of background, Seamon describes a bag with an exterior pocket. The exterior pocket is configured to hold a compartment, where the compartment is attached to the exterior pocket by Velcro®, buttons, magnets, snaps, or any other two part fastener. (paragraph 11). Additionally, the exterior pocket includes two straps on each side, to limit the swing of the pocket to less than 90 degrees. Furthermore, Seamon describes the exterior pocket as closeable with a zipper or Velcro®, or can be an open pocket with no closures.

For a claim to be anticipated under Section 102 it must recite each and every element of the reference. There is no teaching or suggestion in Seamon of Applicant's claimed *a pair of side edges unjoined to the exterior surface wherein each of the side*

*edges are tapered between a wider length at the base edge and a narrower length at the front edge, the elastic strips generating tension and being constructed and arranged to maintain a holding friction against the documents ... wherein at least one of the side edges has a recessed shape that reveals the documents within the pockets in an area between the base edge and the elastic strip.* Applicant claims having at least one edge with a recessed shape to see the documents within. In contrast, Seamon describes closing the sides of the exterior pocket with a zipper or other closure. Applicant only uses a zipper on the main pocket of the padfolio to close the opposing covers. (Refer to new claim 18). Even if the pocket in Seamon is left open, looking at the exterior pocket from above (the handbag having the side opposite pocket laying against a table like the perspective in Applicant's Fig. 1 & 2) a person could not see within the pocket. There is no teaching of at least one recessed side edge in Seamon, furthermore, the drawing's in Seamon show a rectangular shape for the pocket. Additionally, there is no suggestion of at least one recessed side edge because the objects proposed to be stored within Seamon's pocket, e.g., cell phone, cosmetics, credentials, compartment, would not be seen easily through a side edge with a recessed area or is blatantly obvious there is something within based of the large size of the compartment. The objects in Seamon's patent are much smaller in comparison to the pocket or huge in bulk to automatically show an object within.

Furthermore, the strap in Seamon does not teach of Applicant's claimed *the elastic strips generating tension and being constructed and arranged to maintain a holding friction against the documents.* The strap in Seamon does not describe the material as elastic. Additionally, the strap in Seamon is only used to limit the opening of the exterior

pocket to less than 90 degrees. Furthermore, Seamon teaches away from Applicant's strips constructed and arranged to generate tension because the compartment in Seamon is attached by a two-part fastener. A two-part fastener does not include an elastic strip generating tension.

For a claim to be anticipated under Section 102 it must recite each and every element of the reference. In view of the foregoing, amended claims 1 and 11 recite features neither taught nor suggested by Seamon. Accordingly claims 1 and 11 as amended are believed to be allowable thereover.

**Claim Rejections – 35 U.S.C. § 103**

In paragraph 4 of the Office Action, claim 8 was rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable by Seamon.

Applicant respectfully notes that claim 8 is a dependent claim that is dependent on an independent claim believed to be in condition for allowance. Accordingly, claim 8 is believed to be in condition for allowance.

Applicant has added new independent claim 18. This claim further recites a padfolio with two covers and a tension closed exterior pocket. The recitations further distinguish Applicant's specific and novel padfolio combination of a document bearing item then the bulk-carrying luggage or bag taught by Seamon.

In the event that the Examiner deems personal contact desirable in disposition of this case, the Examiner is encouraged to call the undersigned attorney at: (617) 951-2500.

All independent claims (claims 1 and 11) are believed to be in condition for allowance.

All dependent claims (claims 3-8, 10, 13-15 and 17) are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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